

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHERRYL AUGUSTE,

Plaintiff,

-against-

THE CITY OF NEW YORK MAYOR ERIC  
LEROY ADAMS, et al.,

Defendants.

25-CV-0410 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On May 13, 2025, the Court received a motion from Plaintiff seeking to withdraw her complaint. (ECF 7.) The Court grants Plaintiff's request to withdraw this action. The complaint is voluntarily dismissed under Fed. R. Civ. P. 41(a).<sup>1</sup> The Court directs the Clerk of Court to terminate the motion at ECF 7.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: June 3, 2025  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge

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<sup>1</sup> A voluntary dismissal under Fed. R. Civ. P. 41(a) is without prejudice. "But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits." Fed. R. Civ. P. 41(a)(1)(B).